

1995 ASSEMBLY BILL 5

January 9, 1995 - Introduced by Representatives Ourada, Duff, Gard, Klusman, Harsdorf, Hasenohrl, Lehman, Vander Loop, Boyle, Ott, Ryba, Reynolds, Handrick, Musser, Ziegelbauer, Silbaugh, Urban and Seratti, cosponsored by Senators Rude, Breske, Rosenzweig, Darling, Wineke and Buettner. Referred to Committee on Highways and Transportation.

AN ACT to renumber and amend 341.14 (1), 341.14 (1a), 341.14 (1m) and 341.14 1 2 (1q); to amend 134.85 (5) (b) 1., 167.31 (4) (cg) 5., 341.09 (8), 341.13 (2), 341.14 3 (1e) (a), 341.14 (1r) (a), 341.14 (7), 341.625 (1), 343.51 (1), 343.51 (2) (c), 346.50 4 (2), 346.50 (2a) (intro.), 346.50 (2a) (a), 346.50 (2a) (b), 346.50 (2a) (c), 346.50 5 (2a) (d), 346.50 (2a) (e), 346.50 (2a) (L), 346.50 (2a) (m), 346.50 (3), 346.503 (1), 346.505 (2) (a), 346.505 (2) (b) and 349.13 (1m); and to create 341.14 (1) (b), 6 7 341.14 (1a) (b), 341.14 (1e) (c), 341.14 (1m) (b), 341.14 (1q) (b) and 341.14 (1r) 8 (c) of the statutes; relating to: renewals of special registration plates and 9 identification cards for parking privileges for physically disabled persons.

Analysis by the Legislative Reference Bureau

Under current law, a physically disabled person may apply for and obtain special license plates and an identification card (ID card) from the department of transportation (DOT) entitling the person to certain parking privileges that are limited to disabled persons. Applicants who are disabled veterans must submit medical certification of the disability from the U.S. department of veteran affairs; all other applicants must submit medical certification of the disability from a physician, chiropractor or Christian Science practitioner. Continued eligibility for the special license plates or ID card must be renewed every 4 years and medical recertification of the permanent disability must be submitted to DOT as a condition of such renewal.

This bill eliminates medical recertification of a person's permanent disability every 4 years as a condition of eligibility for the special license plates or ID card. Instead, the disabled person may renew eligibility for the special license plates or ID

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card by self-certifying that he or she has a permanent disability entitling him or her to the special parking privileges.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 134.85 (5) (b) 1. of the statutes is amended to read:

134.85 **(5)** (b) 1. The motor vehicle displays special registration plates issued under s. 341.14 (1) (a), (1a) (a), (1m) (a), (1q) (a) or (1r) (a) or a special identification card issued under s. 343.51 or is a motor vehicle registered in another jurisdiction and displays a registration plate, card or emblem issued by the other jurisdiction that designates that the vehicle is used by a physically disabled person.

SECTION 2. 167.31 (4) (cg) 5. of the statutes is amended to read:

167.31 (4) (cg) 5. The vehicle bears special registration plates issued under s. 341.14 (1) (a), (1a) (a), (1e) (a), (1m) (a) or (1r) (a) or displays a sign that is at least 11 inches square on which is conspicuously written "disabled hunter".

Section 3. 341.09 (8) of the statutes is amended to read:

341.09 (8) The department may issue a temporary operation plate to a person who is eligible for the issuance of a special plate for a motorcycle under s. 341.14 (1e) (a) if the department determines that the person's disability is temporary. The plate shall contain the information specified in sub. (1m) and otherwise be similar to or identical to plates issued under s. 341.14 (1e) (a). No charge in addition to the registration fee may be made for the issuance of a plate under this subsection.

Section 4. 341.13 (2) of the statutes is amended to read:

341.13 (2) In addition to the matter specified in s. 341.12 (3), the registration plates for a vehicle registered on the basis of gross weight except a motor truck registered under s. 341.14 (6m) or 341.145 (1) (b), a dual purpose motor home, or a

motor home, motor truck, farm truck or dual purpose farm truck registered under s. 341.14 (1) (a), (1a) (a), (1m) (a), (1q) (a), (1r) (a), (2) or (6r) or 341.145 (1) (a) or (c) or a motor truck or dual purpose farm truck registered under s. 341.14 (6) shall indicate the weight class into which the vehicle falls in a manner prescribed by the department. The gross weight which determines the registration fee for a motor truck registered under s. 341.14 (6m) or 341.145 (1) (b), a dual purpose motor home, or a motor home, motor truck, farm truck or dual purpose farm truck registered under s. 341.14 (1) (a), (1a) (a), (1m) (a), (1q) (a), (1r) (a), (2) or (6r) or 341.145 (1) (a) or (c) or a motor truck or dual purpose farm truck registered under s. 341.14 (6) shall be shown on its certificate of registration.

SECTION 5. 341.14 (1) of the statutes is renumbered 341.14 (1) (a) and amended to read:

341.14 (1) (a) If Except as provided in par. (b), if any resident of this state who is registering or has registered an automobile or station wagon, or a motor truck, dual purpose motor home or dual purpose farm truck which has a gross weight of not more than 8,000 pounds, a farm truck which has a gross weight of not more than 12,000 pounds or a motor home submits a statement once every 4 years, as determined by the department, from the U.S. department of veterans affairs certifying to the department that the resident is, by reason of injuries sustained while in the active U.S. military service, a person with a disability that limits or impairs the ability to walk, the department shall procure, issue and deliver to the veteran, plates of a special design in lieu of the plates which ordinarily would be issued for the vehicle, and shall renew the plates. The plates shall have a light blue background except for a white border not to exceed one inch at top and bottom, and blue lettering, except that the word "VET" and the identifying number shown on the plates shall be colored

SECTION 5

red. The plates shall be so designed as to readily apprise law enforcement officers of the fact that the vehicle is owned by a disabled veteran and is entitled to the parking privileges specified in s. 346.50 (2). No charge in addition to the registration fee shall be made for the issuance or renewal of such plates.

Section 6. 341.14 (1) (b) of the statutes is created to read:

341.14 (1) (b) As a condition of renewal of the plates issued under par. (a), the veteran shall submit a statement once every 4 years, as determined by the department, certifying that he or she is, by reason of injuries sustained while in the U.S. military service, a person with a disability that limits or impairs the ability to walk.

SECTION 7. 341.14 (1a) of the statutes is renumbered 341.14 (1a) (a) and amended to read:

341.14 (1a) (a) If Except as provided in par. (b), if any resident of this state, who is registering or has registered an automobile or station wagon, or a motor truck, dual purpose motor home or dual purpose farm truck which has a gross weight of not more than 8,000 pounds, a farm truck which has a gross weight of not more than 12,000 pounds or a motor home, submits a statement once every 4 years, as determined by the department, from a physician licensed to practice medicine in any state, from a chiropractor licensed to practice chiropractic in any state or from a Christian Science practitioner residing in this state and listed in the Christian Science journal certifying to the department that the resident is a person with a disability that limits or impairs the ability to walk, the department shall procure, issue and deliver to the disabled person plates of a special design in lieu of plates which ordinarily would be issued for the vehicle, and shall renew the plates. The plates shall be so designed as to readily apprise law enforcement officers of the fact that the vehicle is owned by a

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nonveteran disabled person and is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition to the registration fee shall be made for the issuance or renewal of such plates.

SECTION 8. 341.14 (1a) (b) of the statutes is created to read:

341.14 (1a) (b) As a condition of renewal of the plates issued under par. (a), the person shall submit a statement once every 4 years, as determined by the department, certifying that he or she is a person with a disability that limits or impairs the ability to walk.

Section 9. 341.14 (1e) (a) of the statutes is amended to read:

341.14 (1e) (a) If Except as provided in par. (c), if any resident of this state, who is registering or has registered a motorcycle, submits a statement once every 4 years, as determined by the department, from a physician licensed to practice medicine in any state, from a chiropractor licensed to practice chiropractic in any state, from a Christian Science practitioner residing in this state and listed in the Christian Science journal or from the U.S. department of veterans affairs certifying to the department that the resident is a person with a disability that limits or impairs the ability to walk, the department shall procure, issue and deliver to the disabled person a plate of a special design in lieu of the plate which ordinarily would be issued for the motorcycle, and shall renew the plate. The statement shall state whether the disability is permanent or temporary and, if temporary, the opinion of the physician, chiropractor, practitioner or U.S. department of veterans affairs as to the duration of the disability. The plate shall be so designed as to readily apprise law enforcement officers of the fact that the motorcycle is owned by a disabled person and is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition to the registration fee may be made for the issuance or renewal of the plate.

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SECTION 10

Section 10. 341.14 (1e) (c) of the statutes is created to read:

341.14 (1e) (c) As a condition of renewal of the plates issued under par. (a), the person shall submit a statement once every 4 years, as determined by the department, certifying that he or she is a person with a disability that limits or impairs the ability to walk.

SECTION 11. 341.14 (1m) of the statutes is renumbered 341.14 (1m) (a) and amended to read:

341.14 (1m) (a) If Except as provided in par. (b), if any licensed driver submits to the department a statement once every 4 years, as determined by the department, from a physician licensed to practice medicine in any state, from a chiropractor licensed to practice chiropractic in any state or from a Christian Science practitioner residing in this state and listed in the Christian Science journal certifying that another person who is regularly dependent on the licensed driver for transportation is a person with a disability that limits or impairs the ability to walk, the department shall issue and deliver to the licensed driver plates of a special design in lieu of the plates which ordinarily would be issued for the automobile or station wagon, or motor truck, dual purpose motor home or dual purpose farm truck having a gross weight of not more than 8,000 pounds, farm truck having a gross weight of not more than 12,000 pounds or motor home, and shall renew the plates. The plates shall be so designed as to readily apprise law enforcement officers of the fact that the vehicle is operated by a licensed driver on whom a disabled person is regularly dependent and is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition to the registration fee may be made for the issuance or renewal of the plates. The plates shall conform to the plates required in sub. (1a) (a).

Section 12. 341.14 (1m) (b) of the statutes is created to read:

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341.14 (1m) (b) As a condition of renewal of the plates issued under par. (a), the licensed driver shall submit a statement once every 4 years, as determined by the department, certifying that another person who is regularly dependent on the licensed driver for transportation is a person with a disability that limits or impairs the ability to walk.

SECTION 13. 341.14 (1q) of the statutes is renumbered 341.14 (1q) (a) and amended to read:

341.14 (1q) (a) If Except as provided in par. (b), if any employer who provides an automobile or station wagon, or a motor truck, dual purpose motor home or dual purpose farm truck which has a gross weight of not more than 8,000 pounds, a farm truck which has a gross weight of not more than 12,000 pounds or a motor home, whether owned or leased by the employer, for an employe's use submits to the department a statement once every 4 years, as determined by the department, from a physician licensed to practice medicine in any state, from a chiropractor licensed to practice chiropractic in any state or from a Christian Science practitioner residing in this state and listed in the Christian Science journal certifying that the employe is a person with a disability that limits or impairs the ability to walk, the department shall issue and deliver to such employer plates of a special design in lieu of the plates which ordinarily would be issued for the vehicle, and shall renew the plates. The plates shall be so designed as to readily apprise law enforcement officers of the fact that the vehicle is operated by a disabled person and is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition to the registration fee may be made for the issuance or renewal of the plates. The plates shall conform to the plates required in sub. (1a) (a).

SECTION 14. 341.14 (1q) (b) of the statutes is created to read:

SECTION 14

341.14 (1q) (b) As a condition of renewal of the plates issued under par. (a), the employe shall submit a statement once every 4 years, as determined by the department, certifying that the vehicle is used by an employe who is a person with a disability that limits or impairs the ability to walk.

Section 15. 341.14 (1r) (a) of the statutes is amended to read:

341.14 (1r) (a) If Except as provided in par. (c), if any resident of this state who is registering or has registered an automobile or station wagon, or a motor truck, dual purpose motor home or dual purpose farm truck which has a gross weight of not more than 8,000 pounds, a farm truck which has a gross weight of not more than 12,000 pounds or a motor home submits a statement once every 4 years, as determined by the department, certifying to the department that the vehicle is leased to a person who qualifies for special plates under sub. (1) (a) or (1a) (a) together with the information required under sub. (1) (a) or (1a) (a), the department shall issue and deliver to the resident, plates of the appropriate special design under sub. (1) (a) or (1a) (a) in lieu of the plates which ordinarily would be issued for the vehicle, and shall renew the plates. No charge in addition to the registration fee shall be made for the issuance or renewal of the plates.

Section 16. 341.14 (1r) (c) of the statutes is created to read:

341.14 (**1r**) (c) Notwithstanding par. (b), as a condition of renewal of the plates issued under par. (a), the lessor shall submit a statement once every 4 years, as determined by the department, certifying that the vehicle is leased to a person who qualifies for special plates under sub. (1) (a) or (1a) (a).

Section 17. 341.14 (7) of the statutes is amended to read:

341.14 (7) The department shall disseminate information to all applicants for registration plates under sub. (1) (a), (1a) (a), (1e) (a), (1m) (a), (1q) (a) or (1r) (a)

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Section 17

relating to the parking privileges granted under s. 346.50 (2), (2a) or (3) and their right to request enforcement of s. 346.505.

Section 18. 341.625 (1) of the statutes is amended to read:

341.625 (1) Any person who fraudulently procures or uses special registration plates issued under s. 341.14 (1) (a), (1a) (a), (1e) (a), (1m) (a), (1q) (a) or (1r) (a) shall forfeit not less than \$200 nor more than \$500.

Section 19. 343.51 (1) of the statutes is amended to read:

343.51 (1) Any person who qualifies for registration plates of a special design under s. 341.14 (1) (a), (1a) (a), (1m) (a), (1g) (a) or (1r) (a) or any other person with a disability that limits or impairs the ability to walk may request from the department a special identification card that will entitle any motor vehicle, other than a motorcycle, parked by, or under the direction of, the person, or a motor vehicle, other than a motorcycle, operated by or on behalf of the organization when used to transport such a person, to parking privileges under s. 346.50 (2), (2a) and (3). The department shall issue the card at a fee to be determined by the department, upon submission by the applicant, if the applicant is an individual rather than an organization, of a statement from a physician licensed to practice medicine in any state, from a chiropractor licensed to practice chiropractic in any state or from a Christian Science practitioner residing in this state and listed in the Christian Science journal that the person is a person with a disability that limits or impairs the ability to walk. The physician's, chiropractor's or practitioner's statement shall state whether the disability is permanent or temporary and, if temporary, the opinion of the physician, chiropractor or practitioner as to the duration of the disability. The department shall issue the card upon application by an organization

SECTION 19

on a form prescribed by the department if the department believes that the organization meets the requirements under this subsection.

Section 20. 343.51 (2) (c) of the statutes is amended to read:

343.51 (2) (c) At least 30 days prior to the expiration of the card, the department shall mail a renewal application to the last-known address of each identification card holder. The application shall include all of the information required for issuance of a special identification card under sub. (1), except that a physician's, chiropractor's or practitioner's statement under sub. (1) is not required if the applicant's disability is permanent and the applicant certifies that his or her disability is permanent. The fee for a renewal identification card shall be the fee established by the department under sub. (1). Except as provided in par. (b), each card shall be valid for 4 years.

Section 21. 346.50 (2) of the statutes is amended to read:

346.50 (2) Except as provided in sub. (3m), a motor vehicle bearing a special registration plate issued under s. 341.14 (1) (a) or (1r) (a) to a disabled veteran or on his or her behalf is exempt from any ordinance imposing time limitations on parking in any street or highway zone and parking lot, whether municipally owned or leased, or both municipally owned and leased or a parking place owned or leased, or both owned and leased by a municipal parking utility, with one-half hour or more limitation but otherwise is subject to the laws relating to parking. Where the time limitation on a metered stall is one-half hour or more, no meter payment is required. Parking privileges granted by this subsection are limited to the disabled veteran to whom or on whose behalf the special plates were issued and to qualified operators acting under the disabled veteran's express direction with the disabled veteran present.

Section 22. 346.50 (2a) (intro.) of the statutes is amended to read:

346.50 (2a) (intro.) Except as provided in sub. (3m), a motor vehicle bearing
special registration plates issued under s. 341.14 (1a) (a), (1e) (a), (1m) (a), (1q) (a)
or (1r) (a) or a motor vehicle, other than a motorcycle, upon which a special
identification card issued under s. 343.51 is displayed or a motor vehicle registered
in another jurisdiction upon which is displayed a registration plate, a card or an
emblem issued by the other jurisdiction designating the vehicle as a vehicle used by
a physically disabled person is exempt from any ordinance imposing time limitations
on parking in any street or highway zone and parking lot, whether municipally
owned or leased, or both municipally owned and leased or a parking place owned or
leased, or both owned and leased by a municipal parking utility, with one-half hour
or more limitation but otherwise is subject to the laws relating to parking. Where
the time limitation on a metered stall is one-half hour or more, no meter payment
is required. Parking privileges granted by this subsection are limited to the
following:
SECTION 23. 346.50 (2a) (a) of the statutes is amended to read:
346.50 (2a) (a) A person to whom plates were issued under s. 341.14 (1a) (a).
SECTION 24. 346.50 (2a) (b) of the statutes is amended to read:
346.50 (2a) (b) A qualified operator acting under the express direction of a
person to whom plates were issued under s. 341.14 (1a) (a) when such person is
present.
Section 25. 346.50 (2a) (c) of the statutes is amended to read:
346.50 (2a) (c) A person to whom plates were issued under s. 341.14 (1m) (a)

when the disabled person for whom the plates were issued is present.

SECTION 26. 346.50 (2a) (d) of the statutes is amended to read:

346.50 (2a) (d) A person for whom plates were issued under s. 341.14 (1q) (a).

Section 27

SECTION 27.	346.50	(2a) (e)	of the	statutes i	is amended	to read:

346.50 (2a) (e) A qualified operator acting under the express direction of a person for whom plates were issued under s. 341.14 (1q) (a) when such person is present.

SECTION 28. 346.50 (2a) (L) of the statutes is amended to read:

346.50 (2a) (L) A person to whom a plate was issued under s. 341.14 (1e) (a).

SECTION 29. 346.50 (2a) (m) of the statutes is amended to read:

346.50 (2a) (m) A qualified operator acting under the express direction of a person to whom a plate was issued under s. 341.14 (1e) (a) when such person is present.

Section 30. 346.50 (3) of the statutes is amended to read:

346.50 (3) Except as provided in sub. (3m), a vehicle bearing special registration plates issued under s. 341.14 (1) (a), (1a) (a), (1e) (a), (1m) (a), (1q) (a) or (1r) (a) or a motor vehicle, other than a motorcycle, upon which a special identification card issued under s. 343.51 is displayed or a motor vehicle registered in another jurisdiction upon which is displayed a registration plate, a card or an emblem issued by the other jurisdiction designating the vehicle as a vehicle used by a physically disabled person is exempt from s. 346.505 or any ordinance in conformity therewith prohibiting parking, stopping or standing upon any portion of a street, highway or parking facility reserved for physically disabled persons by official traffic signs indicating the restriction. Stopping, standing and parking privileges granted by this subsection are limited to the persons listed under subs. (2) and (2a) (a) to (m).

Section 31. 346.503 (1) of the statutes is amended to read:

346.503 (1) In this section, "motor vehicle used by a physically disabled person" means a motor vehicle bearing special registration plates issued under s. 341.14 (1)

(a), (1a) (a), (1e) (a), (1m) (a), (1q) (a) or (1r) (a) or a motor vehicle, other than a motorcycle, upon which a special identification card issued under s. 343.51 is displayed or a motor vehicle registered in another jurisdiction and displaying a registration plate, card or emblem issued by the other jurisdiction which designates the vehicle as a vehicle used by a physically disabled person.

Section 32. 346.505 (2) (a) of the statutes is amended to read:

346.505 (2) (a) Except for a motor vehicle used by a physically disabled person as defined under s. 346.503 (1), no person may park, stop or leave standing any vehicle, whether attended or unattended and whether temporarily or otherwise, upon any portion of a street, highway or parking facility reserved, by official traffic signs indicating the restriction, for vehicles displaying special registration plates issued under s. 341.14 (1) (a), (1a) (a), (1e) (a), (1m) (a), (1q) (a) or (1r) (a) or a special identification card issued under s. 343.51 or vehicles registered in another jurisdiction and displaying a registration plate, card or emblem issued by the other jurisdiction which designates the vehicle as a vehicle used by a physically disabled person.

Section 33. 346.505 (2) (b) of the statutes is amended to read:

346.505 (2) (b) No person may park, stop or leave standing any vehicle, whether attended or unattended and whether temporarily or otherwise, upon any portion of a street, highway or parking facility so as to obstruct, block or otherwise limit the use of any portion of a street, highway or parking facility reserved, by official traffic signs indicating the restriction, for vehicles displaying special registration plates issued under s. 341.14 (1) (a), (1a) (a), (1e) (a), (1m) (a), (1q) (a) or (1r) (a) or a special identification card issued under s. 343.51 or vehicles registered in another jurisdiction and displaying a registration plate, card or emblem issued by the other

SECTION 33

jurisdiction which designates the vehicle as a vehicle used by a physically disabled person.

SECTION 34. 349.13 (1m) of the statutes is amended to read:

349.13 (1m) In addition to the requirements under s. 346.503 (1m), the department, with respect to state trunk highways outside of corporate limits and parking facilities under its jurisdiction, and local authorities, with respect to highways under their jurisdiction including state trunk highways or connecting highways within corporate limits and parking facilities within corporate limits, may, by official traffic signs indicating the restriction, prohibit parking, stopping or standing upon any portion of a street, highway or parking facility reserved for any vehicle bearing special registration plates issued under s. 341.14 (1) (a), (1a) (a), (1e) (a), (1m) (a) or (1r) (a) or a motor vehicle, other than a motorcycle, upon which a special identification card issued under s. 343.51 is displayed or any vehicle registered in another jurisdiction and displaying a registration plate, card or emblem issued by the other jurisdiction which designates the vehicle as a vehicle used by a physically disabled person.

(END)